

Message Text

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PAGE 01 MADRID 02569 051726Z
ACTION EUR-12

INFO OCT-01 ISO-00 PRS-01 PA-01 DHA-02 L-03 CU-02
SP-02 CIAE-00 DODE-00 INR-07 NSAE-00 /031 W
-----052253Z 070177 /46

R 041828Z APR 77
FM AMEMBASSY MADRID
TO SECSTATE WASHDC 9660
INFO USIA WASHDC
USINFO WASHDC

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STATE FOR EUR/IB DURKEE

USIA FOR IEU IOP/F MILLER

E.O.11652: N/A
TAGS: SOPN, SP
SUBJECT: REPEAL OF ARTICLE TWO OF SPANISH PRESS LAW

1. IN A ROYAL DECREE OF APRIL 1 THE SPANISH CABINET REPEALED
ARTICLE TWO OF THE SPANISH PRESS LAW OF MARCH 18,1966

2. THIS ARTICLE SATED "EXTENSION OF RIGHTS--FREEDOM OF
EXPRESSION AND THE RIGHT OF DISSEMINATION OF INFORMATION,
RECONGNIZED IN THE FIRMST ARTICLE, WILL HAVE NO MORE LIMITATIONS
THAN THOSE IMPOSED BY THE LAWS. THE LIMITATIONS ARE:
RESPECT FOR TRUTH AND MORALITY: RESPECT FOR THE LAW OF THE
PRINCIPLES OF THE NATIONAL MOVEMENR AND THE ADDITIONALL
FUNDAMENTAL LAWS, THE REQUIREMENTS OF NATIONAL DEFENSE OF
THE SECURITY OF THE STATE AND OF THE MAINTENCE OF INTERNAL
PUBLIC ORDER AND INTERNATIONAL PEACE. THE NECESSARY RESPECT
TO INSTITUTIONS AND PERSONS IN CRITICISMS OF POLITICAL AND
ADMINISTRATIVE ACTIVITY THE INDEPENDENCE OF THE COURTS AND
THE SAFEGUARDING OF PRIVACY AND OF PERSONAL AND FAMILY HONOR.

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PAGE 02 MADRID 02569 051726Z

3. IN REPEALING THIS SECTION THE GOVERNMENT PROMULGATED AN
"ANTI LIBEL" LAW WHICH PERMITS CONFISCATION OF PUBLICATIONS
WHICH DAMAGE THE "INSTITUATION OF THE MONARCHY THE UNITY OF
SPAIN AND THE ARMED FORCES" OR PUBLISH OBSCENE OR
PORNOGRAPHIC MATERIAL.

4. THE SPANISH PRESS HAS GREETED THIS ROYAL DECREE WITH SOME SKEPTICISM. THE MODERATE LEFT MORNING DAILY "EL PAIS" IN A BITING ANALYSIS, SAID "THE GOVERNMENT MUST THINK WE ARE CHILDREN... GIVING US A PIECE OF CANDY WITH ONE HAND AND ADMINISTERING A DOSE OF CASTOR OIL WITH THE OTHER".

5. IF'S AFTERNOON CONTEPEART THE LEFT SENSATIONAL "DIARIO 16" DESCRIBED THE DECREE AS AN "ATTEMPTED TO TRICK THE PUBLIC IN THE PUREST FRANCO STYLE" WITH A DECREE FULL OF DEMOCRATIC PHRASEOLOGY OVERLAYING DICATORIAL CONTROL.

6. COMMENT: ARTICLE TWO OF THE PRESS LAW, REGARDING AS A LIBERAL MEASURE WHEN FIRST PROMULGATED IN 1966 WAS EMPLOYED BY THE FRANCO REGIME AS THE BASIS FOR SANCTIONS, SOMETIMES EMPLOYED ALWAYS THREATENED, AIMED AT ENSURING THE PRESS COMPLAISANCE. AS RECENTLY AS JUNE 1977 THE MOST INFULENTIAL WEEKLY IN SPAIN, "CAMBIO 16" WAS THREATENED WITH A FOUR MONTH SUSPENSION OF PUBLICATION FOR AN IRREVERENT CARTOON PUBLISHED ABOUT THE KING (THE THREAT WAS NEVER CARRIED OUT). BUT SINCE THE ADVENT OF THE SUREEZ GOVT, THE LAW HAS NOT BEEN ENFORCED AND THE SPANISH PRESS HAS BEEN LEFT VIRTUALLY FREE TO SPEAK ITS MIND. THE "ANTI LIBEL" LAW WITH ITS OBVIOUS LIMITATIONS, CLEARLY IS A VAST IMPROVEMENT OVER THE REPELEAED ARTICLE 2. BUT FROM THE POINT OF VIEW OF TH A PRESS MDE JUSTIFIABLY SUSPICIONS OF GOVERNMENTAL INTENTIONS IN THE PAST, AND IN SPITE OF THE SUAREZ GOVERNMENT'S GOO RECEOD IN THE ARREA OF PRES LIBERTIES, THE RETENTION OF RATHER OPEN ENDED RESTIC LIMITED OFFICIAL USE

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PAGE 03 MADRID 02569 051726Z

TIONS CONCERNING WHAT CAN BE PRINTEDABOUT THE MONARCHY THE MILITARY AND "NATIONAL UKITY", IS DISTURBING THE SUAREZ GOVERNMENT MAY NOT INTEND TO USE THESE RESERVED POWERS BUT THEY CONTINUE TO EXIST.EATON

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Message Attributes

Automatic Decaptoning: X
Capture Date: 01-Jan-1994 12:00:00 am
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: LAW, PRESS COMMENTS
Control Number: n/a
Copy: SINGLE
Sent Date: 04-Apr-1977 12:00:00 am
Decaption Date: 01-Jan-1960 12:00:00 am
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 22 May 2009
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1977MADRID02569
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Expiration:
Film Number: D770118-1080
Format: TEL
From: MADRID
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1977/newtext/t19770491/aaaadbrr.tel
Line Count: 101
Litigation Code IDs:
Litigation Codes:
Litigation History:
Locator: TEXT ON-LINE, ON MICROFILM
Message ID: c73801ab-c288-dd11-92da-001cc4696bcc
Office: ACTION EUR
Original Classification: LIMITED OFFICIAL USE
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 2
Previous Channel Indicators: n/a
Previous Classification: LIMITED OFFICIAL USE
Previous Handling Restrictions: n/a
Reference: n/a
Retention: 0
Review Action: RELEASED, APPROVED
Review Content Flags:
Review Date: 09-Mar-2005 12:00:00 am
Review Event:
Review Exemptions: n/a
Review Media Identifier:
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 2909122
Secure: OPEN
Status: NATIVE
Subject: REPEAL OF ARTICLE TWO OF SPANISH PRESS LAW
TAGS: SOPN, SP
To: STATE
Type: TE
vdkvgwkey: odbc://SAS/SAS.dbo.SAS_Docs/c73801ab-c288-dd11-92da-001cc4696bcc
Review Markings:
Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
22 May 2009
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 22 May 2009